

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

---

PATRICIA GONZALEZ and JENNIFER GONZALEZ, individually and as co-administrators of the Estate of KENNY LAZO,

Plaintiffs,

-against-

**AMENDED SPECIAL VERDICT FORM**

**Docket No.: CV-09-1023 (ST)**

COUNTY OF SUFFOLK, SUFFOLK POLICE DEPARTMENT, POLICE COMMISSIONER RICHARD DORMER, in his individual and official capacity, POLICE OFFICER JOHN NEWTON, in his individual and official capacity, POLICE OFFICER JAMES SCIMONE, in his individual and official capacity, POLICE OFFICER WILLIAM JUDGE, in his individual and official capacity, POLICE OFFICER CHRISTOPHER TALT, in his individual and official capacity, POLICE OFFICER JOSEPH LINK, in his individual and official capacity, COUNTY OF SUFFOLK OFFICE OF DISTRICT ATTORNEY, SUFFOLK COUNTY DISTRICT ATTORNEY THOMAS SPOTA, in his individual and official capacity, ASST. DISTRICT ATTORNEY JOHN B. COLLINS, in his individual and official capacity, and "JOHN AND JANE DOES 1-10" representing as yet unknown and unidentified members of the Office of the Suffolk County District Attorney (all in their individual and official capacities as employees of the Office of Suffolk County District Attorney),

Defendants.

---

---

1. Please indicate whether any police officer reasonably believed that Mr. Lazo had committed a vehicle and traffic law violation on April 12, 2008?

Yes \_\_\_\_\_ No \_\_\_\_\_

2. Please indicate by checking the appropriate line whether any police officer reasonably believed that Mr. Lazo had subjected Detective Newton to contact with Mr. Lazo's elbow while on the passenger side of the blue Cadillac.

Newton \_\_\_\_\_ Judge \_\_\_\_\_ Scimone \_\_\_\_\_

3. When the officers were attempting to place Mr. Lazo under arrest for striking Detective Newton, did Mr. Lazo struggle with any of the officers?

Yes \_\_\_\_\_ No \_\_\_\_\_

4. When the officers were attempting to place Mr. Lazo under arrest for striking Detective Newton, did Mr. Lazo attempt to move toward the highway?

Yes \_\_\_\_\_ No \_\_\_\_\_

5. Please indicate by checking the appropriate line whether any officer reasonably believed that there was a danger of Mr. Lazo using Officer Judge's gun during the struggle.

Newton \_\_\_\_\_ Judge \_\_\_\_\_ Scimone \_\_\_\_\_

6. When the officers attempting to place Mr. Lazo under arrest for striking Detective Newton, did Mr. Lazo resist the officers' efforts to handcuff him and place him in custody?

Yes \_\_\_\_\_ No \_\_\_\_\_

7. Did the officers reasonably believe that anyone was in danger of being run over by a motor vehicle while they attempting to place Mr. Lazo under arrest for striking Detective Newton?

Yes \_\_\_\_\_ No \_\_\_\_\_

8. Please indicate by checking the appropriate line whether any officer had a reasonable opportunity to intervene in another officer's use of a flashlight in the struggle with Mr.. Lazo.

Newton \_\_\_\_\_ Judge \_\_\_\_\_ Scimone \_\_\_\_\_

9. Please indicate by checking the appropriate line whether any officer reasonably believed at the arrest scene that Mr. Lazo's apparent physical injuries did not require immediate hospitalization?

Newton \_\_\_\_\_ Judge \_\_\_\_\_ Scimone \_\_\_\_\_ Link \_\_\_\_\_

10. Did Officer Link reasonably believe that Mr. Lazo had been lawfully arrested when Officer Link searched Mr. Lazo in Officer Link's vehicle at the scene of the arrest?

Yes \_\_\_\_\_ No \_\_\_\_\_

11. Given the circumstances of the arrest scene, was it reasonable that Officer Link brought Mr. Lazo directly to the Third Precinct?

Yes \_\_\_\_\_ No \_\_\_\_\_

12. Did Officer Link reasonably believe that Mr. Lazo had been lawfully arrested when Officer Link transported Mr. Lazo to the Third Precinct?

Yes \_\_\_\_\_ No \_\_\_\_\_

12. Did Detective Talt reasonably believe that Mr. Lazo had been lawfully arrested before Detective Talt interacted with Mr. Lazo at the Third Precinct?

Yes \_\_\_\_\_ No \_\_\_\_\_

13. Please indicate by checking the appropriate line whether any officer reasonably believed at the Precinct that Mr. Lazo's apparent physical injuries did not require immediate hospitalization?

Link \_\_\_\_\_ Talt \_\_\_\_\_

14. When Mr. Lazo stopped engaging in conversation with Detective Talt, did Detective Talt seek medical assistance?

Yes \_\_\_\_\_ No \_\_\_\_\_

Dated: Central Islip, NY  
August \_\_\_\_\_, 2023

---

FOREPERSON'S SIGNATURE